

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PERCEY LEE RIC'E,

Plaintiff,

v.

PERRY RUSSELL, *et al.*,

Defendants.

Case No. 3:23-CV-00339-MMD-CLB

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO EXTEND
TIME**

[ECF No. 40]

Before the Court is Plaintiff Percy Lee Ric'e's ("Ric'e") motion for an extension of time to file a response to Defendants' motion for summary judgment. (ECF No. 40.) Ric'e's response is due on April 7, 2025. He requests an extension to May 21, 2025. (*Id.* at 2.) Ric'e asserts that an extension of time is necessary because "Defendants have made statements that are fabrications that the plaintiff can show with the records are indeed untruthful." (*Id.*)

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) the court may, for good cause, extend time if a request is made before the original time expires. The good cause inquiry focuses primarily on the movant's diligence. *DRK Photo v. McGraw-Hill Global Educ. Holdings, LLC*, 870 F.3d 978, 989 (9th Cir. 2017).

Having reviewed the motion, the Court finds that good cause exists to warrant granting an extension but finds that a 45-day extension is not warranted and instead will grant a 21-day extension. Accordingly, the motion, (ECF No. 40), is **granted in part and denied in part**. McNair shall file his response to Defendants' motion for summary judgment by no later than **Monday, April 28, 2025**.

IT IS SO ORDERED.

DATED: April 2, 2025


UNITED STATES MAGISTRATE JUDGE